IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL CONTEMPT PETITION NO. 15 OF 2006

Hanumantha Tayappa Utkar..... ... Petitioner.

Versus

The State of Maharashtra & Ors.. ... Respondents.

Mr. N.K.Sharma for the Petitioner.

Mrs. P.H.Kantharia, AGP for Respondent No.1.

Mr. T.J.Pandian for Respondent Nos.4 to 6.

CORAM : R. M. LODHA &
NARESH H. PATIL, JJ.

DATED : 11TH AUGUST, 2006.

P.C. :

Section 15 of the Contempt of Courts Act, 1971 provides the manner in which the cognizance of criminal contempt in cases other than the contempt under section 14 by the High Court may be taken.

2. The present motion is not at the instance of the Advocate General. The petitioner has not taken any consent in writing from the Advocate General either.

3. In the circumstances, we are satisfied that cognizance of the criminal contempt alleged in the contempt petition may not be taken by us. However, the

petitioner shall be at liberty to obtain the consent of the Advocate General in writing and then file fresh contempt petition.

4. Contempt Petition is, accordingly, disposed of with the observations made above.

Sd/-

(R. M. LODHA, J.)

Sd/-

(NARESH H. PATIL, J.)